

ALVA MAXWELL-BROWN,)
)
 Plaintiff,)
)
 v.) No. 4:07CV1327 CDP
)
 VETERAN AFFAIRS,)
)
 Defendant.)

This matter is before the Court on plaintiff's motion to proceed in forma pauperis. The Court has reviewed the financial information provided by the plaintiff and finds that the motion should be granted. Pursuant to 28 U.S.C. § 1915(e), the Court is required to review the complaint and dismiss it if it is frivolous, malicious, or fails to state a claim upon which relief can be granted. Having reviewed the complaint, the Court finds that it should be dismissed prior to service of process.

A charge for discrimination under Title VII must be filed within 180 days of the alleged discrimination. 42 U.S.C. § 2000e-5; *Diaz v. Swift-Eckrich, Inc.*, 318

F.3d 796, 798 (8th Cir.2003). The instant complaint was filed more than 180 days since the alleged acts of discrimination occurred. As a result, it is time-barred, and it shall be dismissed.

Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion to proceed in forma pauperis is **GRANTED**.

IT IS FURTHER ORDERED that plaintiff's complaint is **DISMISSED**, without prejudice, pursuant to 28 U.S.C. § 1915(e)(2)(B).

IT IS FURTHER ORDERED that plaintiff's motion for appointment of counsel is **DENIED**.

An Order of Dismissal shall accompany this Memorandum and Order.

Dated this 10th day of August, 2007.


UNITED STATES DISTRICT JUDGE